

Order

Michigan Supreme Court
Lansing, Michigan

September 23, 2015

Robert P. Young, Jr.,
Chief Justice

ADM File No. 2014-02

Stephen J. Markman

Mary Beth Kelly

Brian K. Zahra

Amendment of Rule 6.106
of the Michigan Court Rules

Bridget M. McCormack

David F. Viviano

Richard H. Bernstein,
Justices

On order of the Court, notice of the proposed changes and an opportunity for comment in writing and at a public hearing having been provided, and consideration having been given to the comments received, the following amendment of MCR 6.106 is adopted, effective January 1, 2016.

[The present language is amended as indicated below by underlining
for new text and strikeover for text that has been deleted.]

Rule 6.106 Pretrial Release.

(A) In General. At the defendant's ~~first appearance before a court~~ arraignment on the complaint and/or warrant, unless an order in accordance with this rule was issued beforehand, the court must order that, pending trial, the defendant be

- (1) held in custody as provided in subrule (B);
- (2) released on personal recognizance or an unsecured appearance bond;
or
- (3) released conditionally, with or without money bail (ten percent, cash or surety).

(B)-(I) [Unchanged.]

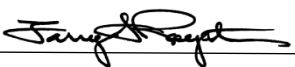
Staff Comment: The amendment of MCR 6.106 clarifies that a court would determine issues concerning defendant's pretrial release, if any, at the time of defendant's arraignment on the complaint and/or warrant.

The staff comment is not an authoritative construction by the Court. In addition, adoption of a new rule or amendment in no way reflects a substantive determination by this Court.



I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

September 23, 2015


Clerk